

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 WILBERT REESE AND MARCO ODDS,

Case No. 2:19-CV-01468-GMN-EJY

5 Plaintiffs,

ORDER

6 v.

7 GREAT WEST CASUALTY COMPANY,
8 MILLER TRANSPORTATION SERVICES,
INC., and LEROY CALDWELL,

9 Defendant.

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11 Before the Court is Non-Parties Medport LA, LLC and Medport Billing, LLC's Motion for
12 Leave to File a Supplement to their Reply to Defendants' Opposition to the Second Motion to Quash
13 FRCP 30(b)(6) Deposition Subpoena, to Quash or Modify the Deposition Production Requests, for
14 a Protective Order Under FRCP 26(c) and for Sanctions (the "First Motion for Leave"), which was
15 filed on October 7, 2019 (EFC No 12). On October 16, 2019, before the due date for a response to
16 the First Motion for Leave, the Non-Parties filed a Second Motion seeking leave to file a supplement
17 to their reply (the "Second Motion for Leave"), which is also before the Court. This is ECF No. 13.
18 The Second Motion for Leave was prompted by an Order issued on October 15, 2019, in case titled
19 *Lisa DuPont v. Costco Wholesale Corp.*, Case No. 2:17-cv-4469-MLV-KWR, pending in the Eastern
20 District of Louisiana. The Court in the *Costco* matter apparently ruled that "neither the funding
21 agreement [between the third parties and health care providers] nor the actual amounts received [by
22 the third parties] are relevant nor probative of any claim in the" *Costco* case.

23 On October 30, 2019, the Court received Defendants' Great West Casualty Company, Miller
24 Transportation Services, Inc., and Leroy Caldwell's Non-Opposition to the requests made by the
25 Non-Parties to file a supplement to their Reply in support of the Motion to Quash and for Protective
26 Order.

1 Accordingly,

2 IT IS HEREBY ORDERED that the Non-Parties' First Motion for Leave, ECF No. 12, is
3 DENIED as moot.

4 IT IS FURTHER ORDERED that the Non-Parties' Second Motion for Leave, ECF No. 13,
5 is GRANTED.

6 IT IS FURTHER ORDERED that the Non-Parties' supplement to their reply brief shall be
7 filed on or before November 12, 2019.

8 IT IS FURTHER ORDERED that the Non-Parties Medport LA, LLC and Medport Billing,
9 LLC's Second Motion to Quash FRCP 30(b)(6) Deposition Subpoena, to Quash or Modify the
10 Deposition Production Requests, for a Protective Order Under FRCP 26(c) and for Sanctions (ECF
11 Nos. 5 and 6) is scheduled for a hearing on December 5, 2019 at 10:00 a.m. in Courtroom 3B.

12 DATED: November 4, 2019

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16 ELAYNA J. YOUCHAH
17 UNITED STATES MAGISTRATE JUDGE
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